

Government of the District of Columbia
ZONING COMMISSION



STATEMENT OF REASONS

ORDER NO. 235

ZONING COMMISSION CASE NO. 78-2

AMENDMENTS TO THE SP DISTRICT

Background of Zoning Revision

In successive stages since the beginning of the 1970's the Zoning Commission has been embarked on a comprehensive program to revise the Zoning Regulations of the District of Columbia. The Regulations which are presently in effect were adopted in 1958, and even though they have been amended many times over the years, up until the 1970's, there was no program to review the Regulations on an overall comprehensive basis.

In the late 1960's, the Federal Department of Housing and Urban Development required the District of Columbia to set out a program for revision of the Zoning Regulations as a prerequisite to the approval of more federal grant funds for the District. The Zoning Commission hired a consultant to prepare a program for revision of the Regulations, and began the process which has led to the present. Working in conjunction with District offices and departments, the Zoning Commission began to identify and review major problem areas of the Regulations. Consequently, in 1970,

the Commission adopted major changes to the R-5-A and other similar residential districts, to assure that new developments in that district could be adequately served by available public services and that the quality of such development would provide proper living environments for the future residents.

In 1974, the Commission again acted to make major changes in the Regulations. After several years of staff work, and many hours of public hearings, the Commission adopted two new zone districts, the Waterfront and Mixed Use Districts, and the Sectional Development Plan process. All these changes were made to fill gaps in the Regulations caused by changing conditions in the District of Columbia since the original adoption of the Regulations in 1958.

Current Revision Proposals

In 1977, the Commission returned to the matter of Zoning Revision to deal with those problems which had been identified in zoning cases and planning studies as requiring attention. The Municipal Planning Office, which serves as the technical staff to the Zoning Commission and is also the agency designated by the Mayor in accordance with the Home Rule Act to do local comprehensive planning for the District, came upon these deficiencies in the Regulations as a result of local area planning studies which the office had undertaken. As set forth in a report to the Zoning Commission dated November 10, 1977, and presented to the Commission in a meeting held on November 10 and 11, 1977, the MPO reported the following:

Takoma: The Municipal Planning Office has been asked to submit the Takoma Plan to the Zoning Commission and secure its adoption. That plan is a product of a community review process MPO facilitated.

Essentially, the zoning elements of the plan call for the adoption by the Zoning Commission of a series of "special" commercial zones with somewhat lower densities and height allowances than in existing mapped zones. That would be a text case. These new zones would be applied to the Takoma map in accordance with the plan as a map case. A bonus system with site plan review, including a provision for additional density close to the Metro stop, would be part of the text case. The plan itself is now receiving agency review.

Tenley Circle. A joint citizen-business - institution community action group is completing the Sectional Development Plan for Tenley Circle. The recommendations are similar, but not identical to those outlined for Takoma as far as zoning and mapping are concerned. We have received an economic study that appears to support the zoning approach. A companion traffic study report is being drafted. At that point, a final draft sectional development plan will be prepared for submission to the Commission. To carry out the plan as now projected, both text and map cases will be required.

Dupont Circle. Staff work is in progress in accordance with Zoning Commission instructions. We will provide a report on that work before the end of the year in accordance with our commitment to the Commission. Meanwhile, I would note the community has made certain zoning text revision recommendations to meet Dupont needs (Case #76-23) that are similar in approach but not identical to the Takoma and Tenley proposals. Dupont also calls for adoption of a new two-level SP zone. The Dupont Map Case (76-24) calls for application of the proposed new zones to an extensive area in the vicinity of Dupont Circle.

Adams-Morgan. At the request of the Zoning Commission, we are engaged in the community assessment of an initial eight applications for map amendments filed by property owners earlier this year. (Cases No. 77-5, 6, 7, 8, 9, 77-10, 11, and 13). Additional cases have since been filed. Both text and map amendments would be required by a number of the applications, although only map cases were filed. Three community forums have been held respectively on October 12, 16, and 27 at which planning and zoning issues were discussed by specific study areas.

A briefing paper on zoning in Spanish and English, a report on the results of field surveys in the area and a listing of community concerns and alternatives have been prepared and circulated. At Adams-Morgan, there are issues about the application of existing commercial zones and localized map problems related to the industrial zones. There is also a need to evaluate the applicability of the CR zone to parts of Adams-Morgan, altering the CR zone text to permit its use outside of sectional development plan areas.

Ward 7 and 8 Cases. We see the same intense interest in zoning issues in the East Washington Railway case in Ward 7 (Case No. 77-33), and in Ward 8 in the Wilburn (Cases No. 77-18, 19 and 20) and the Wheeler Road (Case No. 77-1) cases. The Railway case is unique. Interest in the Ward 8 cases have focussed on the lack of a site plan review process to deal with their concerns about the kind and level of development that should occur. It should be noted that there is strong support in many areas for a site plan review process that responds promptly and enables the Commission to address community concerns. We see such a process coupled with a bonus system as an additional zoning tool to meet community and City objectives. To achieve a bonus system, matter-of-right zoning may need to be reduced in some cases. Text changes would be required.

As is evident, the common thread running through these areas, and applicable to other areas as well, is the need to make changes in the text of the Zoning Regulations. These changes would focus on the city-wide implications of amending the text as a primary consideration, and leave resolution of the Zoning Map issues presented to a later time.

In its presentation, the Municipal Planning Office recommended that the Zoning Commission establish an extraordinary hearing proceeding to consider the major text revisions which arose from the various planning studies. The MPO identified the following issues to be considered:

- * Revision of FAR and height allowances in the affected commercial zones to create in some zones a three level structure, (a) a lower than at present matter-of-right level,

(b) A bonus level up to present matter-of-rights and densities to achieve City's historic preservation, urban design and other objectives and, (c) a special bonus level in the immediate vicinity of certain Metro stops. There would need be a provision to assure that existing structures not become nonconforming.

* Establishment of a simplified Article 75 site plan review process to deal with bonus and Metro station issues. In effect, it would provide that the Zoning Commission establish standards to review site plans. It is our thought that such reviews would occur before the BZA.

* Encouragement of mixed uses in commercial areas by elimination of the present residential penalty in commercial zones. This is dealt with in the PADC case.

• Requirement for BZA review of commercial office buildings over a minimum level in industrial zones. This would serve to encourage the elimination of inappropriate industrial zones in some areas.

* Establishment of additional SP and CR zones at lower height and density levels to allow for the more flexible application of these zone districts and to solve some problems identified in some of the map cases.

At the same time as the MPO was identifying the problem areas discussed above, the residents of the Dupont Circle area were petitioning the Zoning Commission to make changes in the Zoning Regulations and Maps as they applied to that area of the city. The Dupont Coalition, which includes Advisory Neighborhood Commission 2B, the Dupont Circle Citizens Association, the North Dupont Community Association and other citizen groups in the area, had prepared a plan for the area and in 1976 filed petitions for specific map and text changes, which were assigned case numbers 76-24 and 76-23, respectively. The Coalition was actively pressuring the Zoning Commission

to set hearings on those specific proposals as well. To determine a specific course of action, the Commission held a special public meeting on December 15, 1977, and invited all interested persons and groups to appear before the Commission and present their views on the proposals suggested by the Municipal Planning Office. At that meeting, the Commission heard comments from several members of the City Council, from representative of the Dupont, Takoma, Adams-Morgan and other areas, from the Board of Trade, the National Capital Planning Association and other individual citizens. After several hours of discussion, the Commission determined that it would go forward to schedule hearings on the general revision of all the commercial, special purpose and mixed use districts, and other related issues. For purpose of administration, these proposals were separated into two cases by the staff. Case No. 78-1 was assigned to the revision of all of the commercial districts and the Planned Unit Development process. Case No. 78-2 was assigned to the revision of the special purpose and mixed use districts, as well as the general inquiry into the treatment of hotels. This statement of reasons deals only with Case 78-2, and only with that portion of the case related to the SP District.

Legislative Background

The Self-Government and Governmental Reorganization Act (PL 93-108) modified both the Act relating to the National Capital Park and Planning Commission (PL 68-202, June 6, 1924, as amended) and the Zoning Acts (PL 66-153, March 1, 1920, as amended; PL 75-684, June 20, 1938, as amended) to provide for a relationship between planning and zoning under self-government.

In Section 492 of that Act, which is part of the Home Rule Charter for the District of Columbia, the Act provided that:

"The Zoning Commission shall exercise all the power and perform all the duties with respect to zoning in the District as provided by law".

That Section also stated that:

"Zoning maps and regulations, and amendments thereto, shall not be inconsistent with the comprehensive plan for the National Capital".

The same Section also provided that proposed actions of the District of Columbia Zoning Commission are to be submitted to the National Capital Planning Commission for its review and comment.

Section 203 of the same Act designates the Mayor as the "Central Planning Agency for the District Government" and establishes the National Capital Planning Commission as the "Central Federal Planning Agency". (The Mayor has delegated his function to the D.C. Municipal Planning Office).

Development of the SP District

Before 1958, development in Washington was guided by Zoning Regulations which consisted of three separate sets of requirements for use, height and area. Although the regulations were combined in a single text, three separate sets of maps were needed: one set each for use, height and area. The city was divided into four general use districts: residential, first commercial, second commercial and industrial. The four height districts generally had 40, 60, 90 and 110 foot height limits, and the area restrictions defined the yard, court and lot occupancy requirements.

One major problem with these regulations was that they did not reflect existing or projected land uses. Another was that the regulations were unnecessarily complicated and difficult to administer. Since their adoption in 1920, approximately 2,000 amendments had been made to both zoning text and maps.

Harold M. Lewis, a Planning Consultant from New York, was hired to revise the Zoning Regulations and the maps. There was general agreement that a single set of districts to regulate use, height and bulk should be developed. The preliminary draft of the Proposed Revised Zoning Regulations provided for 16 principal types of districts, three of which were transition districts. The transition zones were viewed as a useful district to cover areas in which many special exceptions had developed and which, therefore, contained a mix of uses. In such districts, existing exceptions could be treated as a matter of right. The notes on the Transition Districts indicate that they were intended to be buffer districts between commercial or manufacturing and residential districts.

In the final report, transition districts were eliminated in favor of Special Purpose districts. SP-1 (Mixed Occupancy) and SP-2 (Peripheral Parking, Conversion and Mixed Occupancy) replaced the T-2 and T-3 districts. SP-1 was to be used in areas where residential, commercial and semi-commercial co-existed. The SP-1 District was designed to preserve such areas essentially as they were.

However, based on interviews, it would appear that the major intent was to preserve the mix of uses not necessarily existing buildings. Conversions of existing buildings to apartments and offices was permitted, but to office use only with Board of Zoning approval. Proposed maximum height was 45 feet and FAR 2.0.

The major purpose of the proposed SP-2 district was "to encourage the development of parking facilities, while allowing conversion of existing residences to Central Business District supporting uses . . ." This district was to be mapped on the periphery of the business district and parking was to be encouraged within it. Maximum permitted height proposed was 90 feet and FAR 3.0. An additional 1.0 FAR was proposed for above ground parking, permitting a total FAR of 4.0.

Although the Lewis Plan stressed the importance of provision of parking facilities in encouraging downtown development, local opposition prevented adoption of a parking requirement in the

C-4 zone. It appears that the emphasis on the SP-2 zone as a peripheral parking area was a result of the opposition to the C-4 parking requirements and the proposed inner loop expressway.

The Lewis Plan proposed that SP-1 be mapped west of the commercial zone on Connecticut Avenue between New Hampshire and Florida Avenues and east of Connecticut Avenue between P and R Streets. Both sides of N Street between 17th and 18th were also proposed as SP-1, as were several other small scattered areas. SP-2 was to be mapped along Massachusetts Avenue from just east of Mount Vernon Square to Dupont Circle and in a large area east of Mount Vernon Square from D to L Streets, including Judiciary Square. These areas border the Central Business District and were therefore suitable for SP zoning. In addition, it was felt that SP was an appropriate zone for the area around historic Judiciary Square since it would protect the area from commercial uses and since it was a logical location for professional, especially lawyer's, offices.

Sixteenth Street from the White House to R Street was proposed as SP-2 largely because of its symbolic importance in the L'Enfant Plan, since it is the major approach to the Executive Mansion. But, 16th Street had symbolic importance because it had been designated as a Memorial Street in remembrance of those killed in World War I. A large area of Foggy Bottom between 23rd Street and the Potomac south of Washington Circle was proposed as SP-2. Another large area was proposed south of Independence Avenue between Virginia Avenue and 12th Street and

areas adjacent to Washington Channel and west of the White House were also proposed as SP Districts.

The Zoning Advisory Council, commenting on the revisions in a report dated May 27, 1957 before the public hearings, felt that there was little justification for the proposed SP-1 zone. It recommended that much of it be included in the proposed SP-2 zones and the rest classified to conform to the surrounding districts. They also felt that additional FAR would be needed to induce residential construction.

Although during the hearings on the Lewis Proposals, there was some discussion of the SP-1 as an appropriate zone to encourage use and, therefore, preservation of the large residential buildings, particularly along Massachusetts Avenue the Zoning Advisory Council felt that there was insufficient justification for creation of the SP-1 zone. But the Council felt that SP-2 was a valid district to accommodate uses compatible with those in residential and commercial neighborhoods. The Council's final recommendation was that the proposed SP-2 zone be adopted as SP-1 and that this zone be mapped generally on the periphery of the business district. The Council recommended that those areas of the proposed SP-1 which were not suitable for SP-2 designation be absorbed into the adjoining districts.

The SP district was adopted. It was an innovation of the 1958 regulations and one of three zones adopted as "ancillary areas" to the central business district. The other two were

R-5-D (high density residential) and C-3-B (major employment center). An article accompanying the official text in the Evening Star of May 10, 1958 stated that "high degrees of control were imposed to keep undesirable uses out of it in the hope of attracting very high class office buildings and apartments and hotels . . ." The adopted SP district had a maximum height of 90' and a floor area ratio of 5.0 for apartment houses and 5.5 for any other structure. It was felt that the 3.0 FAR proposed by Lewis was too low for both office and residential use. At that time, the FAR for a residential use in a C-3-B zone was limited to 4.5, thus favoring commercial development which had an FAR of 6.5. It was felt that by raising the FAR for residential to 5.0, the same as the adopted R-5-D zone, apartment construction would be encouraged in the SP zone. The text states that controlled parking facilities are to be encouraged, but did not include an extra 1.0 FAR for them as proposed by Lewis.

The areas mapped SP were not as extensive as those proposed by Lewis and except for two areas behind the Capitol, they were confined to the borders of the central business district in the northwest quadrant of the city.

SP zones were mapped around Judiciary Square and along 16th Street and Massachusetts Avenue as proposed in the Lewis Plan, although their size was reduced substantially.

Several areas in Foggy Botton proposed by Lewis as SP zones were also adopted. Those areas along Constitution and west of the White House on 17th Street were zoned SP to permit use by non-profit organizations, many of which were already there in an area that is otherwise surrounded by Federal office use. In the area just north of Virginia Avenue between 19th and 22nd Streets, SP appears to have been proposed largely to permit some office use next to the Federal offices and to act as a buffer between a concentration of Federal offices and a residential neighborhood. The area adjacent to the Potomac was zoned SP because it was regarded as peripheral to the business district; there was a mix of uses there and a mix of uses was proposed for its redevelopment. Most of the area zoned SP in 1958 is now occupied by Kennedy Center and Columbia Plaza, a mixed use urban renewal project.

Proposals for SP Revision

The Commission advertised public hearings to be held on May 1, 8, and 15, 1978 to consider the 78-2 case. Due to rescheduling and adjournments, the hearings were actually held on May 8 and May 22, 1978. These hearings were advertised in the D.C. Register on March 31, 1978 and in the Washington Star and the Washington Post on March 30, 1978.

The hearings were specifically designed to consider all facets of the SP District as it then existed. The notice for the hearing specifically states at the beginning:

The Zoning Commission is holding these public hearings to consider proposals to generally revise and amend the Special Purpose and Mixed Use Districts, and to explore amendments to the Regulations regarding the treatment of hotels in residential, special purpose, waterfront and mixed use districts. The purpose of these hearings is to consider in general the SP and CR Districts. In addition to the specific changes proposed herein, the Commission will also receive testimony from the public on other possible changes in those districts, including but not limited to other changes in use, height and density.

The Commission therefore proposed that all subjects relevant to the SP District could come up for discussion.

The specific amendments to the SP District as proposed in the notice included one set of proposals by the Municipal Planning Office and two alternative proposals presented by the Dupont Coalition. The specific changes proposed by the Municipal Planning Office from the SP District as it then existed included the following:

1. Split of the SP District into an SP-1 and SP-2 Districts.
2. Limitation on parking lots to short term users and to discourage commuter parking.

3. Additional standards governing construction of new office buildings.
 4. Elimination of the distinction between kinds of office uses to allow general office uses.
 5. Establish a height limit of 65 feet for the SP-1 District.
 6. Establish a floor area ratio limit for the SP-1 District of 2.5, not more than 2.0 of which could be for non-residential purposes.
 7. Establish a floor area ratio limit for the SP-2 District of 5.5, not more than 4.0 of which may be used for other than residential purposes.
 8. Eliminate the limitations on lot occupancy and replace it with a requirement for residential open space.
 9. Equalize the rear yard requirements for residential and commercial structures.
 10. Equalize the side yard requirements for residential and commercial structures.
 11. Equalize the court requirements for residential and commercial structures.
 12. Establish standards for a bonus review process, to grant extra height and/or floor area in return for amenities provided to the city.
 13. Establish preferred treatment for existing uses and structures to prevent them from being non-conforming, as was done for commercial districts in Article 54.
- The first alternative proposed by the Dupont Coalition

recommended the following specific changes:

1. Split of the SP District into a SP-1 and SP-2 District.
2. Limitation of non-residential uses in the SP-1 District to buildings constructed prior to 1910.
3. Prohibition of parking lots when current approvals expire.
4. Establish a height limit of 60 feet for the SP-1 District.
5. Establish a floor area ratio limit of 3.5 for the SP-1 District.
6. Establish a lot occupancy limit of 75 percent for the SP-1 District.
7. Establish a court requirement for the SP-1 District.
8. Establish a parking requirement for residential uses in the SP-1 District.
9. Designate existing SP as SP-2.

The second alternative proposed by the Dupont Coalition recommended the following specific changes:

1. Split of the SP District into SP-1 and SP-2 Districts.
2. Require non-residential uses, including offices, schools and hotels to have BZ A approval and allow them only in existing buildings.
3. Establish a height limit of 60 feet for the SP- 1 District.
4. Establish a floor area ratio limit of 3.5 for the SP-1 District.

5. Establish a lot occupancy limit of 75 per cent for the SP-1 District.
6. Establish a parking requirement for residential uses in the SP-1 District.
7. Establish a court requirement for the SP-1 District.
8. Designate existing SP as SP-2.

The Commission heard extensive testimony at the hearings, and also received additional information in the record concerning the SP District. From the weight of the evidence before it, the Commission believes that it is appropriate to create two categories of SP Districts, one at the basic height and density now permitted, and one at a lower height and density.

The Commission believes that the division of the existing SP District is a logical step based on the reasonable expectations for location of the SP District. The Commission believes that within those locations currently designated SP, there are areas which more properly should be subject to a lower height and density. There are also areas which are not now zoned SP some of which are not even adjacent to existing SP zoned areas, which may be appropriate for the kind of transitional functions which the SP zone is designed to serve. The issue of how and where to map additional SP areas is not addressed in this case, and would require additional notice and hearing.

Goals of the Revised SP District

The SP Districts as revised are designed to achieve the following major goals:

1. Provide a transition between commercial and Residential areas. There are many areas of the District of Columbia where residential and commercial uses which adjoin each other need to be separated by some kind of buffer or transition. This recognizes the concept expressed in the original Lewis studies and also accepts one of the more common planning theories. The buffer or transition can be accomplished in many ways, depending upon the circumstances. One of the ways to provide the transition is

to establish a district which contains a mix of the kinds of uses permitted in both areas which it adjoins, at an intermediate level of height and/or density. The SP-2 District clearly can provide for the transition around the central business district zones, where height ranges up to 130 feet and floor area ratios are as high as 10.0. Where the opposite side of the transition is zoned for high density residential uses, the SP-2 District clearly can serve as the transition. Where moderate density residential uses surround the central business district, the SP-1 or SP-2 may be appropriate. Adjacent to commercial areas outside of downtown, SP-1 can be the transition necessary to separate and protect different kinds of uses.

2. Provide for Mixed Uses. As referred to above, the ideal transition zone would seek to meld the various kinds of uses permitted in the adjoining areas which are compatible with each other. To this extent, both of the SP Districts permit the same uses; that is, residential uses, limited type office uses, and various kinds of institutional uses are permitted, some with BZA approval. In order to encourage the mix and provide for residential use to be constructed, higher floor area ratios are assigned to residential uses in both district.

3. Encourage residential uses. One of the main thrusts of the 78-2 case, as well as the revisions of the Commercial Districts under consideration in Case No. 78-1, is to encourage development of residential uses in all areas of the District of Columbia. The Commission has already adopted changes in the C-3, C-4 and C-5 Districts, to increase the level of residential development permitted. In some of those Districts, the Commission also reduced the level of commercial development so as to provide more favorable incentives for residential use. In the SP Districts, the Commission established higher levels of density permissible for residential uses, and eliminated other penalties associated with residential use, to make new residential development as attractive or more attractive than new non-residential development. Such residential uses ultimately serve to increase the vitality of surrounding commercial uses, by providing more potential customers for stores, theaters, offices and services.

4. Protect adjoining neighborhoods, particularly the residential neighborhoods. Since the SP District will contain uses which are not residential uses, the District has been designed to require that those uses which are potentially harmful to residential uses must be reviewed by the Board of Zoning Adjustment before

they may be permitted. This protection is also designed to provide an adequate living environment for the residential uses located within the SP District.

5. Preserve buildings and district of historic or architectural merit. As presently mapped, much of the area zoned SP is located in areas which either have been designated as historic districts or are adjacent to such areas. Substantial portions of the Massachusetts Avenue, Dupont Circle and 16th Street Historic Districts are now zoned SP, and the area surrounding the Judiciary Square is also zoned SP. The regulations have been designed to give the greatest degree of protection to these historic districts, to require the Board of Zoning Adjustment to consider historic preservation as an influence on its decision, and by proper mapping of the District, to create incentives to private reuse of historic buildings.

6. Set a reasonable parking policy. The existing SP regulations permitted parking lots and garages with approval of the Board of Zoning Adjustment, consistent with the original intent of the District to provide parking as a supporting use for the downtown area. This has resulted in large areas presently zoned SP devoted to parking uses throughout the SP District. As a

result, some localized areas became saturated with parking.

The regulations as proposed severely cut back on allowing surface parking lots, which are aesthetically unappealing and represent a very low intensity of land use in a district where high density uses are permitted. The regulations do however allow for continued construction of parking garages, provided that adequate safeguards are built in.

7. Achieve the District's goals on land use, transportation, housing, environment and historic preservation. The Mayor has submitted to the City Council as part of the comprehensive planning process, a draft "Bill to Establish Goals and Policies for the District of Columbia" proposed as the first District element of the Comprehensive Plan for the National Capital. The Council gave its first approval to the bill on July 25, 1978. Many of the goals and policies are relevant to the Commission's revision of the Regulations, and specifically to the revisions made to the SP District. Attached hereto and made a part hereof are relevant excerpts from the Goals and Policies element. Specifically, the goals and policies adopted by the Council include the following:

Sec. 302(A) To promote efficient and increased use of public transit and reduced automobile emissions and use throughout the city.

Sec. 302(B) To promote land uses that reduce the need for vehicular trips.

Sec. 452(C) To promote the continued identification, preservation and use of culturally significant prehistoric and historic districts, sites, buildings, structures and objects.

Sec. 602(B) To promote maintenance, conservation and improvement of the City's existing housing in a manner supporting social and economic diversity within neighborhoods.

Sec. 702(A) To promote the conservation and improvement of residential neighborhoods for housing and other residentially related uses.

Sec. 702(H) To provide the development, application and enforcement of adequate land use controls that reinforce and help carry out other land use policies.

Sec. 802(C) To promote parking facilities that support and complement the community activities of the City with minimum undesirable impacts on adjacent areas.

The further explanation of these goals and policies, as set out in the attachment, further reinforces the decisions of the Commission in revising the SP Districts.

Specific Regulations Adopted

In order to achieve the basic goals outlined above, the Commission has adopted specific Regulations, specifying the applicable requirements for the two SP Districts. These requirement are generally as follows:

1. Use. Residential uses, including almost all uses permitted in R-5 Districts, are permitted as a matter-of-right. In addition, private schools, community centers, religious reading rooms, artist studios and ticket offices are permitted as a matter-of-right. Other non-residential uses are permitted only with Board of Zoning Adjustment approval to insure the protection referred to above. Such uses include hotels, colleges or universities, offices, public utility uses, antenna towers and parking facilities. The Commission believes that all of these uses, if not properly

controlled, could have potential adverse impact on the SP Districts and adjoining residential areas. The Commission notes that the SP District since its adoption has had as an essential component the requirement that many non-residential uses be approved by the Board of Zoning Adjustment. That review has been extended to a few additional uses, including hotels and colleges or university, because of the Commission's perception that such uses could potentially affect residential uses needing protection, because such uses could occupy large areas which should be devoted to residential use, and because such uses tend to generate large amounts of traffic.

2. Height. The height of the SP-1 District is set at 65 feet and the height of SP-2 District is set at 90 feet. The latter is a continuation of the limit established in 1958. The former was set to allow for six story buildings, and was designed to accomplish the intermediate level needed to step down from higher height commercial areas to lower height residential areas.
3. Floor Area Ratio. The FAR for the SP-1 District is set at a maximum of 4.0, with non-residential uses limited to 2.5 FAR. The SP-2 District has a maximum FAR of 6.0, with non-residential uses limited to 3.5 FAR. The Commission

believes that in order to encourage residential uses, due to the economics of development there must be a higher density assigned to residential uses than is allowed for commercial uses. The Commission also believes that the maximum amount of development consistent with the permitted heights should be allowed. The 6.0 FAR was retained for the SP-2 and the 4.0 FAR maximum for SP-1 is a realistic limit given the height, lot occupancy, open space and other bulk requirements. The Commission therefore set the non-residential FAR at the lower levels of 2.5 and 3.5. The Commission notes that these levels were set in relation to the guidelines proposed for the planned unit development process, in which extra floor area would be approved beyond that normally permitted. In order to keep an incentive to use the PUD process, and in order to build in the incentive necessary for residential construction, the floor area ratios were set at the limits specified. The Commission further notes that the PUD process is currently being considered for revision as part of the 78-1 Commercial revision case. Under the proposals which the Commission is now considering, the levels of height and floor area ratios specified in Section 7501 would be guidelines, and not absolute maximum limits. It would therefore be possible, for specific developments

that warrant such consideration and approval, for the Commission to approve levels of development approaching the same levels formerly permitted in SP. The Commission notes that hotels have been limited to the FAR assigned to non-residential uses, based on extensive testimony in the record concerning the commercial aspects and impacts of hotels.

4. Lot Occupancy. The maximum percentage of lot occupancy for both the SP-1 and SP-2 Districts is set at 80 per cent. This was done to allow for maximum residential development consistent with the height and density permitted, but also to provide for adequate light, air and ventilation around residential buildings.
5. Residential Open Space. There must be residential open space equal to ten per cent of the gross floor area devoted to residential use for such uses. The purpose of such space is to provide usable recreation opportunities for residents of areas where there is not a great deal of public open space available.
6. Rear Yards. There is a single rear yard requirement for all buildings rather than the split requirement for different kinds of buildings. This was designed to allow mixed use buildings, to clarify what requirement would apply. The Commission adopted a standard of two and one-half inches per foot of height, but not less than twelve feet. The Commission adopted

a provision to allow the BZA to waive the normally required yards in specific structures. This is to allow more flexibility in building design should a site require it.

7. Side Yards. Side yards are not required in an SP District. For those yards which are provided, the Commission set a minimum standard of two inches per foot of height, not less than eight feet. Eight feet is the minimum yard requirement applied to all residential districts. Since the side yard requirement have been consolidated to encourage mixed use buildings, the Commission set that requirement at the residential level.
8. Courts. One consolidated requirement for width of courts was adopted. A court, if provided, must have a minimum width of six inches per foot of height, not less than thirty feet at any elevation in the court. The Commission reviewed a thorough report from the Municipal Planning Office on the subject of courts, and was determined to prevent courts from being little more than open air shafts. The standard established is reasonable to allow for light and air circulation, and does not adversely effect a developer's opportunity to achieve the maximum density.
9. Exceptions for Existing Uses and Structures. The Commission believes that existing buildings and uses

which are presently in SP Districts which met the requirements of that District, should not be excessively penalized if they do not meet the requirements of the SP-1 or SP-2 Districts as they are revised. The Commission therefore included regulations to permit all conforming buildings in SP to continue to be considered as conforming. The regulations apply such status to all existing buildings and uses, and include within such category all buildings for which building permit applications were received six months before the change occurred. This was done in language identical to that of Article 54, which created such regulations for commercial districts several years ago.

10. Parking. The regulations regarding parking were changed to sharply cut back on surface parking lots, and also to severely curtail commuter parking. New surface parking lots are not permitted unless they are accessory to uses permitted in the SP District. Accessory parking garages continue to be permitted. Parking garages as principal uses can be provided if approved by the Board of Zoning Adjustment, only if they do not serve all-day commuter parking. All these changes were designed to respond to the City's Goals and Policies, particularly as to air quality, transportation and land use.
11. Designation of SP-2. All of those areas which were

previously mapped SP have been designated SP-2, since the SP designation would no longer exist. The SP-2 is the successor to the former SP, since it is the higher height and density district and in fact continues the 90 foot height and 6.0 maximum floor area ratio formerly permitted. The Commission finds no basis in the record to change the designation of property formerly zoned SP to anything other than SP-1 or SP-2. The SP-2 District is the less restrictive, in terms of height and density, of the two SP Districts. The Commission believes that it is not appropriate at this time to designate any of the areas formerly zoned SP with the more restrictive SP-1 designation, but that the Commission will consider applying the SP-1 District in cases which specifically address particular areas.

NATIONAL CAPITAL PLANNING COMMISSION REVIEW

The proposed text amendment was referred to the National Capital Planning Commission for the review required by Section 492(b)(2) of the District of Columbia Self Government and Governmental Reorganization Act. The Planning Commission considered the proposed amendment at a special meeting held on September 21, 1978. At that time and by letter dated September 12, 1978, the Planning Commission reported to the Zoning Commission "that the proposed amendment, to the extent that it would remove as a matter of right the conversion of existing buildings for chancery uses in the SP District (1) is inconsistent with the

Foreign Missions and International Agencies element of the Comprehensive Plan for the National Capital and (2) will have an adverse impact on the interests and functions of the Federal Establishment in the National Capital."

The Planning Commission made no other comment concerning the rest of the proposed action.

As to the chancery questions, the Zoning Commission gave great attention to that issue in consideration of the Foreign Missions map and text cases. In its statement of reasons in that case, the Zoning Commission said:

The Zoning Commission is required to give careful consideration to the views of the NCPC. In this matter, the Zoning Commission has developed an extensive record, including testimony from many interested persons representing diverse points of view. The Zoning Commission must always be mindful of all of the various perspectives presented.

The most serious problem presented by the NCPC recommendations is the request that chancery use be permitted as a matter-of-right in those areas in or immediately adjacent to primarily residential areas. The Zoning Commission received extensive testimony before it, especially from numerous Advisory Neighborhood Commissions that neighborhoods which contain residential uses must be protected, and that the proposed review procedure was essential to assure that protection. The NCPC plan acknowledges this requirement as specified in Section 313.311 of the

objectives:

Retain existing locations and select new locations for Foreign Missions and International Agencies in areas of compatible land uses with environmental amenities appropriate for the function, with special care given to protecting residential areas. (EMPHASIS ADDED)

The Zoning Commission is strongly committed to the protection of neighborhoods which include residential uses in the District, and the Zoning Commission believes that this protection cannot be insured unless the Board of Zoning Adjustment has the power to review and approve the location and characteristics of chanceries within or immediately adjacent to such neighborhoods. For this reason the Zoning Commission finds that consistency with the objectives of Section 313.311 and the obligation to maintain the stability of neighborhoods which include residential uses require the full compatibility review adopted in this order.

Those reasons apply equally well to the National Capital Planning Commission recommendations in this case.

CONCLUSION

The Zoning Commission believes that the SP District must be afforded many of the same protections which now apply to residential districts, with additional provisions to allow for the transitional nature of the District. The Zoning

Commission believes that the burden of testimony and the weight of the evidence in the record before it support the regulations which it has adopted. The Commission believes that the amendments adopted by Order No. 235 are in the best interests of the District of Columbia as a whole and are consistent with the intent and purposes of the Zoning Regulations and the Zoning Act. For the reasons stated herein, the Zoning Commission therefore adopted Order No. 235.

A handwritten signature in dark ink, appearing to read 'Walter B. Lewis', written over a horizontal line.

WALTER B. LEWIS
Chairman

A handwritten signature in dark ink, appearing to read 'Steven E. Sher', written over a horizontal line.

STEVEN E. SHER
Executive Director

Excerpts from Bill 2-237
"District of Columbia Comprehensive
Goals and Policies Act of 1978"
(Including Commentaries)

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(B) TO PROMOTE MAINTENANCE, CONSERVATION, AND IMPROVEMENT OF THE CITY'S EXISTING HOUSING IN A MANNER SUPPORTING SOCIAL AND ECONOMIC DIVERSITY WITHIN NEIGHBORHOODS.

Keeping the existing housing stock in good condition is a critical factor in achieving city housing goals. In any given year new construction will amount to only a small fraction of the total existing stock. Therefore, programs which focus on maintaining and upgrading existing units are extremely important. The city has a considerable stock of structurally sound older housing units which can be rehabilitated to provide better quality housing for a range of income groups. A substantial rehabilitation movement is already taking place in the private sector. The District Government will further promote rehabilitation through loans and grants, self-help programs, and completing the renovation of existing government-held properties. These efforts should be designed and carried out so that lower income households occupying housing slated for rehabilitation have opportunities to remain in their neighborhoods. This will help maintain the cultural and economic diversity that currently exists.

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AIR QUALITY

SEC. 301. IT IS THE GOAL OF THE DISTRICT OF COLUMBIA TO ATTAIN AND MAINTAIN AIR QUALITY LEVELS SUPPORTING A SAFE, HEALTHY AND SATISFYING ENVIRONMENT IN ALL PARTS OF THE CITY.

Pursuant to the Clean Air Act Amendments of 1970, the United States Environmental Protection Agency has identified primary and secondary standards for the major air pollutants: carbon monoxide, nitrogen dioxide, hydrocarbons, particulate matter, sulfur dioxide and photochemical oxidants. Primary standards may be thought of as those that are necessary to protect human health and safety. Secondary standards may be thought of as those that are necessary to protect public welfare and support satisfying surroundings by preventing injury to plants, animals or property. The District has taken action to improve emissions from stationary sources and has been successful in decreasing concentrations of sulfur dioxides and particulate matter to below annual primary standards. However, concentrations of particulates and automobile-related pollutants, such as carbon monoxide and photochemical oxidants (smog) continue to exceed primary standards in several areas of the city during periods of stagnant air movement. There is a continuing need to monitor ambient air quality to determine where and when national and local air quality standards are not being met. Efforts to improve air quality are directed by the Department of Environmental Services. Since motor vehicles are a major source of air pollution in the District of Columbia, the Departments of Transportation, Environmental Services, and the Municipal Planning Office must closely coordinate their plans, programs and policies to achieve this goal.

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SEC. 302. THE POLICIES OF THE DISTRICT OF COLUMBIA TO IMPROVE AIR QUALITY SHALL BE:

(A) TO PROMOTE EFFICIENT AND INCREASED USE OF PUBLIC TRANSIT AND REDUCED AUTOMOBILE EMISSIONS AND USE THROUGHOUT THE CITY.

Air quality affected by automobile use can be improved by greater use of transportation modes such as rapid rail, buses, taxis, carpools, vanpools, bicycling and walking. Much of the pollution is generated by rush-hour commuter automobile traffic and a majority of this is due to persons commuting to work either within, or from other jurisdictions into, the District. Continued and expanded efforts are needed to increase and promote the use of public transportation modes such as metrorail, express reserved bus lanes, other high occupancy lanes, feeder bus routes to metrorail and other measures. Disincentives to automobile use can be accomplished by such methods as the provision of public transportation which is more efficient than automobile use and the restriction of automobile use on some public rights-of-way. As adequate public transit becomes more available, stringent disincentives can be applied to automobile use in congested areas, particularly during peak-hour periods. There is a need for continued close coordination between those traffic restrictions developed for air quality purposes, traffic controls for the purposes of good traffic management and the need for adequate residential and retail parking.

(B) TO PROMOTE LAND USES THAT REDUCE THE NEED FOR VEHICULAR TRIPS.

Air quality in the District of Columbia is sensitive to land use decisions such as the location of activity centers and the management of parking.

Future development efforts should be encouraged to provide better and more protected access to public transportation, bikeways and pedestrian ways. Facilities for pedestrians and bicycles in both public and private developments are needed. The mixing of land uses which encourages walking to work, shopping, recreation and other facilities, and a higher use of public transportation, is desirable. Improved urban design can contribute to development of such uses and the visual clarity of their relationships.

(C) TO PROVIDE THROUGH REGULATION AND ENFORCEMENT
CONTROL OF EMISSIONS FROM STATIONARY SOURCES WITHIN THE
DISTRICT OF COLUMBIA AND TO PROMOTE CONTROL IN SURROUNDING
JURISDICTIONS.

A portion of the pollution from stationary sources which affects the District originates outside the city. In turn, pollution from stationary sources in the city affects both the District and other jurisdictions.

The District has adopted strict regulations for the control of pollution from stationary sources such as generating plants and incinerators, and from other sources such as construction sites and open burning. Enforcement of these regulations has significantly reduced such pollution.

Control of emissions includes the regulation of sulfur content of permissible fuels, maintenance of controls on the operations of fuel-burning equipment and encouraging the use of energy sources which are less polluting. Increased reliance on coal as a heating and power-generating fuel might negatively impact air quality. Every effort should be made to ensure that emissions from stationary sources continue to meet Federal and local standards.

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serve to promote a sense of community. Exhibits, films, and performances at neighborhood celebrations may deal with the place of the city and the history, present condition and future plans of the community. Some events, such as the Capitol Hill Day at Eastern Market, the Hispanic Fiesta in Adams Morgan, the Chinese New Year Parades and the Burleith Picnic, have become traditions. From a city-wide viewpoint, such celebrations need encouragement.

(c) TO PROMOTE THE CONTINUED IDENTIFICATION, PRESERVATION AND USE OF CULTURALLY SIGNIFICANT PREHISTORIC AND HISTORIC DISTRICTS, SITES, BUILDINGS, STRUCTURES, AND OBJECTS.

The identification and preservation of the significant physical reminders of the city's past are joint responsibilities of several agencies of the District and Federal Governments working in cooperation with interested citizens and private preservation-oriented groups. The official bodies involved in this effort include the Historic Preservation Officer for the District of Columbia, who is the Director of the Department of Housing and Community Development, and the Joint Committee on Landmarks of the National Capital, a nine-member expert citizen body jointly appointed by the Mayor and two Federal agencies, the National Capital Planning Commission and the Commission of Fine Arts. The Joint Committee compiles and maintains an inventory of significant properties, serves as the professional review committee to review nominations to the National Register of Historic Places, and recommends to its sponsoring agencies programs for the preservation of significant properties. The District of Columbia's Inventory of Historic Sites presently contains some 350

Listings, which include individually designated Historic Landmark buildings, structures and objects as well as approximately 40 Historic Districts, such as Vedroft Park, Untontown, Georgetown, and Capitol Hill, some of which contain thousands of buildings. The Inventory is incomplete, however, and within the next decade, the Historic Preservation Officer and the Joint Committee on Landmarks, working in close cooperation with citizens, private preservation organizations, and neighborhood groups, want to complete a comprehensive citywide survey, on both a geographic and thematic basis, for the purpose of identifying those locations that are significant to the District's historic, architectural, archeological and cultural heritage; secure the designation of the significant properties as Historic Landmarks and Historic Districts and their listing on the District of Columbia's Inventory of Historic Sites; and nominate those properties that meet the criteria to the National Register of Historic Places. The Fine Arts Commission, a Federal body, serves as the review agency to protect the architectural integrity of the historic Georgetown District in addition to its design review responsibilities in Federal areas of the capital. A number of other legal techniques already exist to assist in the preservation of significant properties. These include limited techniques that should be expanded within the next decade and new ones developed into a comprehensive preservation program which will enlist the support and financial backing of private individuals and groups, foundations, and financial institutions, as well as the District and Federal Governments in preserving important physical evidence of the District's rich history.

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HOUSING AND COMMUNITY DEVELOPMENT

SEC. 601. IT IS THE GOAL OF THE DISTRICT OF COLUMBIA TO HAVE GOOD HOUSING AT AN AFFORDABLE COST FOR ALL DISTRICT RESIDENTS IN COMMUNITIES THAT HAVE ACCESS TO SERVICES, FACILITIES, AND OPPORTUNITIES TO MEET THE RESIDENTS' NEEDS.

The housing goal is a broad vision of what the city should aim to achieve through its housing policies and programs. It is intended to provide an overall thrust or direction for the city's housing efforts. The goal addresses both the need for housing and the importance of that housing being located in neighborhoods which have adequate public services, schools, shopping facilities, and other basic necessities of urban living. Good housing means housing which is structurally sound, safe, sanitary, uncrowded and is suitable to the household which occupies it. An affordable cost means a cost which a household can pay and still have sufficient funds available for adequate food, clothing, and other necessities. The Department of Housing and Community Development has the primary concern with this goal area.

SEC. 602. THE POLICIES OF THE DISTRICT OF COLUMBIA TO ACHIEVE GOOD HOUSING SHALL BE:

(A) TO PROMOTE AN ADEQUATE SUPPLY OF GOOD HOUSING THROUGHOUT THE CITY IN A PROPORTION THAT REFLECTS THE TYPES AND PRICES NEEDED BY ALL SEGMENTS OF THE CITY'S POPULATION.

The housing needs in the District are not restricted to any one population subgroup, but extended across all segments of the city's

population. In addition to the critical need for more standard units available to low and moderate income households, there is also a growing demand for upper income housing. The availability of newly constructed units for upper income households may tend to make more units available for other income groups because of the filtering process. At the same time the maximum number of new units which the City can obtain should be specifically targeted for low income residents. Other groups, for which housing should be specifically earmarked, include the elderly and the handicapped. Further, measures are needed to preserve the existing housing supply. Programs are needed which result in the upgrading of vacant and substandard units which would be available for a range of income groups. Coupled with the need for additional permanent housing is the need for more facilities which provide emergency shelter for those who are temporary homeless.

in many city neighborhoods. The city's Housing ^{Regulations} ~~Code~~ sets minimum standards for housing condition and occupancy. Systematic and even-handed enforcement of the ^{Regulations} ~~Housing Code~~ can be helpful in preserving existing structures. These regulations should be continuously reviewed and updated from time to time as needed. In some cases owners and landlords

need financial assistance in order to properly maintain units. The city should consider expansion of programs which provide lower-interest loans for home improvements and outright grants for qualified low-income households. Actions which tend to decrease the housing supply should be strongly discouraged. The issuance of demolition permits for structurally sound residential buildings should be made only on assurances that specified historic preservation, financial, and alternative use criteria have been considered and met.

(C) TO PROVIDE A PRIORITY USE OF PUBLIC FUNDS FOR HOUSING TO INCREASE HOUSING FOR LOW-INCOME AND MODERATE-INCOME HOUSEHOLDS THROUGHOUT THE DISTRICT.

While the demand for upper income housing can usually be met by the private sector, the high cost of housing makes privately constructed new or rehabilitated housing prohibitively expensive for lower income groups. The public sector must try to fill this gap through direct action and the use of housing subsidy programs to the extent they are available. The need is many times the number of units being funded under current Federal programs. Waiting lists for subsidized developments are long and vacancies rarely occur. The city should work vigorously to make its housing needs known to the Federal Government in an effort to increase the level of Federal funding. At the same time efforts should be made to increase the

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USE OF LAND RESOURCES

SEC. 701. IT IS THE GOAL OF THE DISTRICT OF COLUMBIA TO HAVE EFFICIENT USE OF LAND RESOURCES WITHIN LEGAL, ENVIRONMENTAL AND OTHER PUBLIC POLICY CONSTRAINTS TO MEET NEIGHBORHOOD, COMMUNITY AND CITY-WIDE NEEDS, AND HELP FOSTER OTHER CITY GOALS.

The distribution of land uses and their relationships to one another are fundamental determinants of the livability of the city. The existing patterns are the result of the complex interaction of a variety of social and economic forces regulated by controls enacted to protect the public interest. Since the land area of the District of Columbia is fixed, land uses must be allocated with care in order to meet a variety of demands and to avoid conflict among uses. Land use policies must consider Washington's unique combination of roles as the home of more than 700,000 people, as the center of growing metropolitan area, and as the Nation's Capital. Land use planning should coordinate proposals that meet the demands for space to accommodate activities and promote the accomplishment of other goals: by providing for such factors as the accommodation of housing needs; by balancing relationships between land use patterns and transportation activities; by providing suitable locations for social and economic activities; and by encouraging activities which contribute to environmental quality. The District Land Use Element of the Comprehensive Plan must address such factors. The Municipal Planning Office and the District of Columbia Zoning Commission have primary responsibilities in this goal area.

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SEC. 702. THE POLICIES OF THE DISTRICT OF COLUMBIA TO ACHIEVE THE EFFICIENT USE OF LAND RESOURCES SHALL BE:

(A) TO PROMOTE THE CONSERVATION AND IMPROVEMENT OF RESIDENTIAL NEIGHBORHOODS FOR HOUSING AND OTHER RESIDENTIALLY-RELATED USES.

Housing occupies nearly one-quarter of the total land area of the city; it is the second largest general land use next to land in public rights-of-way. The city of Washington consists of a variety of neighborhoods, each with a set of social, economic, and physical conditions related in various ways to the rest of the city. Most are attractive and viable and should be conserved with minor improvements. Others are physically sound but need facilities such as shopping, services, utilities or other amenities to make them quality neighborhoods. Strategies for these areas should improve the neighborhoods' viable qualities and concentrate on meeting these needs. A few areas are physically deteriorated and presently may lack the economic and social resources to become viable. In this case strategies which offer a variety of programs are needed. In some areas of the city residential neighborhoods are being subjected to pressures for uses which may be incompatible with the present character and functions of the neighborhood. Such uses include certain inappropriate commercial, industrial, institutional, public or other uses which could substantially change and, in some cases, downgrade the residential qualities of the area. Ways must be found to mitigate these effects, to protect or buffer residential areas so they retain or regain their stability, and to balance development and conservation needs. Existing zoning regulations may need revision to assure the desired balance.

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(B) TO PROMOTE APPROPRIATE COMMERCIAL, INDUSTRIAL AND RELATED DEVELOPMENT TO SERVE THE ECONOMIC NEEDS OF THE CITY AND ITS NEIGHBORHOODS.

Presently commercial and industrial development accounts for less than five percent of the city's total land area. There are pressing needs for neighborhood commercial facilities in some areas, for revitalization of the downtown area and for commercial and industrial development which will provide jobs for city residents and increased public revenues to the city. Both new and existing neighborhood commercial centers should benefit from programs to improve properties, strengthen the residential market area, introduce environmental amenities and control traffic and parking. The downtown area, especially the original downtown, may need changes in height limits and zoning to encourage a mixture of residential office, retail and entertainment uses needed to support a vital central area. Improvements in goods and services facilities, mass transit, pedestrian facilities and other amenities also have land use implications. The public investments in the Metro system can be partially recaptured by development around some Metro stations. Where such development is appropriate higher population and floor area densities should be considered. The density requirements should be balanced with capacities of the Metro system and capacities of the area to sustain such development without adverse neighborhood impacts. The amount of industrially used land in the city is small; the city has lost major portions of employment, especially blue collar employment, in many commercial and industrial areas. Vacant land, vacant buildings and obsolescent facilities are often typical

(D) TO PROVIDE SUITABLE LOCATIONS FOR CHANCERIES AND INTERNATIONAL AGENCIES WHICH FACILITATE THEIR OPERATIONS IN HARMONY WITH THE PLANNED DEVELOPMENT AND NEEDS OF COMMERCIAL AND RESIDENTIAL AREAS.

In identifying locations for chanceries which are the offices of foreign governments accredited to the United States, certain needs and concerns must be taken into account. The locations must be suitable and the facilities must be adequate to the function. It is important that special care be taken to protect residential areas.

As far as possible, chanceries should be encouraged to locate in commercial and mixed use areas, rather than in residential areas.

Those that do locate in designated residential areas should be subject to appropriate reviews to avoid adverse neighborhood impacts. Those locations should be in accord with the zoning texts and maps of the District of Columbia adopted by the D.C. Zoning Commission, and should not be inconsistent with the Foreign Missions and International Agencies (Federal) Element of the Comprehensive Plan adopted by the National Capital Planning Commission. Such matters as landscaping, screening, off-street parking,

traffic circulation, environmental protection, and historic preservation should be examined to assure with the neighborhood. compatibility/ Appropriately, this is a function of the Board of Zoning Adjustment which receives reports from the Executive agencies with responsibility for such matters.

International agencies should be encouraged to locate in commercial and mixed use areas, preferably commercial areas in the central area of the District.

Embassies as the residences of the Ambassador as distinct from chanceries may locate in any areas where residential uses are permitted. Combined embassy/chanceries should be regulated as chanceries.

Close working relationships between the District's zoning authorities and the Department of State are essential to assure compliance with applicable zoning and building codes and to facilitate the enforcement of other relevant local laws.

(H) TO PROVIDE THE DEVELOPMENT, APPLICATION AND ENFORCEMENT OF ADEQUATE LAND USE CONTROLS THAT REINFORCE AND HELP CARRY OUT OTHER LAND USE POLICIES.

The primary land use control mechanism in Washington is zoning. The current zoning regulations were adopted in 1958. Since that time there have been numerous amendments to keep pace with changing activities in the city and with new control techniques. Once land use plans are formulated the adequacy of the existing regulations to achieve goals and carry out policies must be assessed under the Home Rule Act. As necessary, existing controls will be modified or new controls provided. Other controls such as subdivision regulations, building codes and housing regulations should also be reviewed periodically. There need to be more effective application and enforcement procedures to assure that the controls achieve objectives and that uses have no substantial adverse environmental or other effects. Revision of the zoning regulations is needed to provide for performance incentives and other innovative techniques such as mixed use. Urban renewal plan provide for a more specialized type of regulation in selected areas. These plans should be broadly and flexibly interpreted to meet current needs and

(I) TO PROMOTE A BALANCE OF LAND USE ACTIVITIES WITH FACILITIES, opportunities UTILITIES, AND SERVICES NECESSARY TO SUPPORT THOSE ACTIVITIES.

The locations, intensities and configurations of land uses affect a variety of facilities and services in various ways. Transportation, waste collection, water supply and sewerage availability, gas and electric supplies, school capacities, recreation facilities, health and social service facilities, and energy utilities are among those impacted. Shopping, goods and service movements and emergency services should also be considered. The availability,

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and effects on efficiency, of these facilities and services have implications for air quality, water use, sewage flows, noise levels, energy consumption, sanitation and solid waste, visual qualities, social well-being, economic performance, jobs availability, consumer satisfaction, public revenues and degrees of physical mobility within, to and out of the city. Development that necessitates the use of utilities such as natural gas and electric systems which draw on energy resources presently in short supply should be planned in energy conserving configurations. Planning for land use activities should strive for the best arrangements of the location, siting, configuration, and density of activities given the quality and quantity of facilities, services and utilities.

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TITLE VII - TRANSPORTATION

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TRANSPORTATION OF PEOPLE

SEC. 801. IT IS THE GOAL OF THE DISTRICT OF COLUMBIA TO ASSURE THE MOVEMENT OF ALL RESIDENTS, WORKERS, AND VISITORS THROUGHOUT THE CITY TO SUPPORT THE EFFECTIVE FUNCTIONING OF ALL CITY ACTIVITIES.

The city's transportation system has to provide for the needs of its residents, for those individuals working within its boundaries, and for the numerous visitors to the Nation's Capital. Transportation plays a major role in the shaping of land uses, in energy consumption, and in the levels of air quality and noise in the District. The city is dependent on numerous modes of transportation. It is important that improvements be made in existing bus and taxi service. Increased emphasis should be given to bicycle transportation and pedestrian movements. Other types of transportation such as paratransit, retail vehicles, various sizes of bus and taxi vehicles, demand response and subscription bus services and shuttles should be investigated. An integrated network of transportation modes would provide efficient and assured service at the lowest cost possible for the greatest number of persons. These types of transportation should provide improved transit service to the people who need it more, the city's low income, elderly and handicapped residents and those in more remote or poorly served sections of the city. The District's Department of Transportation has major responsibilities in this area.

SEC. 802. THE POLICIES OF THE DISTRICT OF COLUMBIA TO ACHIEVE THE EFFECTIVE TRANSPORTATION OF PEOPLE SHALL BE:

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(A) TO PROMOTE THE MAXIMUM POSSIBLE USE OF PUBLIC TRANSIT FOR TRIPS
WITHIN THE CITY.

Increased public transit use would help alleviate many of the problems associated with automobile travel. Use of public transportation is one of the most efficient means of conserving fuel and right-of-way space, abating air pollution, reducing noise and congestion, and serving residential and commercial activities. There are a number of modes of public transit in the city including intercity rail, commuter rail, rail rapid transit, intercity and intracity buses, taxis, vans and other paratransit vehicles, tour boats, and medical service vehicles. The number of non-car-owning households in the city has always been high and a large number of journeys to work and other activities are made by public transit. Ridership on the Metrorail system is substantial and ridership on Metrobuses has increased markedly over the last few years. Intercity rail and bus service facilities have recently been upgraded but their integration with intracity services is not complete. Taxis play a significant role in public transportation, but service to residential areas, especially to lower income neighborhoods or areas outside the central city is considered inadequate due to its irregularity, the refusal of drivers to enter some areas, and the long waits involved after requests for service. Jitneys, smaller special buses or vans, may be able to fill the gaps for various types of transit needs. Major waterways could also be

be considered for public transit to or around the city. The city will continue actions to improve the existing street system without the use of freeway facilities. Substantial funds allocated to construction of freeways have been, and will continue to be transferred for Metrorail construction. Additional funding sources and financing mechanisms are needed to alleviate Metrobus and Metrorail operating deficits. A permanent financing plan needs to be developed at the regional level to cover deficits. A regional tax program for this purpose should be sought. Completion of the full regional Metrorail system is vital to assure the District and the region adequate public transportation service. It is of particular importance to the District that the Greenbelt and Branch Avenue lines be constructed so that heavy rail or other adequate service to the entire region becomes available to the transit-dependent areas of Shaw, Northeast Washington, Anacostia and far Southeast. A curtailment of the system either within or outside the District would have adverse impacts for city areas depending on new stations. Many existing bus routes, and the services on those routes, are inadequate to meet the needs of major users of the system, forcing them to resort to private automobile transportation. Continued vitality of the bus system is required to serve those areas of the city adequately that will not be served by the Metrorail system, to provide essential feeder-bus linkages to Metrorail and to handle many regional journeys to work. The Metrorail system will significantly affect the vitality of the community, its economy, and the distributions of population, employment and land uses in the region.